

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
M. Kurosawa, et al.

Serial No.: 09/869,804

Art Unit: 1615

Filed: July 5, 2001

Examiner: A. Berman

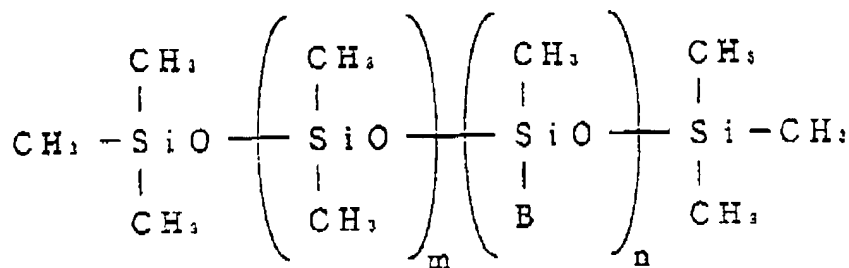
For: Two-Layer Makeup Cosmetic Composition

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. 121

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

Responsive to the restriction requirement mailed March 12, 2002, and in accordance with the interview conducted April 8, 2002 with Examiner Berman, in the matter of the above-identified application, Applicants elect a polyether-modified silicone represented by the following formula:



wherein B represents a polyoxyalkylene group represented by the formula -  $\text{C}_3\text{H}_5\text{O}(\text{C}_2\text{H}_4\text{O})_b(\text{C}_3\text{H}_5\text{O})_c\text{R}^{13}$ , wherein  $\text{R}^{13}$  represents a hydrogen atom or  $\text{C}_1$ - $\text{C}_4$  alkyl group, and each of b and c represents an integer of 5-50; m represents an integer of 50-1,000; and n represents an integer of 1-40.

BEST AVAILABLE COPY

DOCKET NO. SHI-015-USA-PCT

The above polyether-modified silicone is a pendant-type polymer, a polymer which dangles at least one polyoxyalkylene group from the skeleton, and is commercially available as TS polymer, (a product of Toray Industries, Inc.)

It is respectfully submitted that the above is fully responsive to the outstanding Restriction Requirement. Further, it is respectfully submitted that this application is now in condition for examination on the merits and early action and allowance thereof is accordingly respectfully requested.

Respectfully submitted,

*Donald E. Townsend, Jr.*

Donald E. Townsend, Jr.  
Reg. No. 43,198

Date: April 8, 2002

TOWNSEND & BANTA  
Suite 500, #50028  
1225 Eye Street, N.W.  
Washington, D.C. 20005  
(202) 682-4727

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this draft response is being transmitted by facsimile to the United States Patent and Trademark Office at (703) 746-4977, and addressed to the Attention of Examiner Alysia Berman, Technology Center 1600:

On April 8, 2002.

*Donald E. Townsend, Jr.*  
Donald E. Townsend, Jr.